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Wildlife programmatic environmental impact statement process, Dept. of Fish, Wildlife, and Parks

Legislative Audit Division

State of Montana

Report to the Legislature

December 1998

Performance Audit

Wildlife Programmatic Environmental Impact Statement (EIS) Process

Department of Fish, Wildlife and Parks

This report contains information on the timeline and various activities performed by department staff during the eight-year period of the project. We concluded on reasons for the extended timeframe which includes limited staff experience, staffing and directing methods, and approach revisions.

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December 1998

The Legislative Audit Committee
of the Montana State Legislature:

This is our performance audit of the process used by the Department of Fish, Wildlife and Parks to complete its Wildlife Programmatic Environmental Impact Statement (EIS).

This report contains background information on the department's EIS process and the timeline for completing the project. A response from the department is contained at the end of the report.

We wish to express our appreciation to the staff of the department for their cooperation and assistance.

Sincerely,

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Legislative Audit Division

Performance Audit

Wildlife Programmatic Environmental Impact Statement (EIS) Process

Department of Fish, Wildlife and Parks

The audit staff member involved in this audit was Jim Nelson.

Table of Contents

List of Tables ..... Page ii

Appointed and Administrative Officials ..... Page iii

Report Summary ..... Page S-1

Chapter I - Introduction

Introduction ..... Page I

Audit Objectives ..... Page I

Audit Scope and Methodology ..... Page 2

Chapter II - Review of Wildlife EIS Process

Background ..... Page 3

Project Costs ..... Page 3

Purpose of the Wildlife EIS ..... Page 5

EIS Staffing and Guidance ..... Page 6
- EIS Team ..... Page 6
- Steering Committee ..... Page 7
- Ad Hoc Committees and Other Department Staff ..... Page 7
- Consultants ..... Page 7

Major Activities of the EIS Process ..... Page 8
- Initial EIS Approach ..... Page 10
- Public Scoping Meetings ..... Page 10
- Montanans' Beliefs about Hunting, Viewing, and Trapping ..... Page 10
- Revisions to EIS Approach ..... Page 11
  - Scenario Planning ..... Page 11
  - Management Consensus ..... Page 12
  - Effects Assessment Team ..... Page 12

Draft EIS Report ..... Page 12

Reasons for Extended Timeframe ..... Page 13
- Limited Experience ..... Page 13
- Staffing and Directing Methods ..... Page 14
- EIS Approach Revisions ..... Page 15

Conclusion ..... Page 15

Department Response

Department of Fish, Wildlife and Parks ..... Page 19

List of Tables

Table 1 — Wildlife EIS Project Appropriations and Expenditures (Fiscal Years 1991-92 through 1997-98) ..... Page 4

Table 2 — Wildlife EIS Major Phases and Activities (1991 through 1998) ..... Page 9

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Introduction

An audit of the Wildlife Management Program at the Department of Fish, Wildlife and Parks was approved by the Legislative Audit Committee for the 1999 biennium. Concerns were raised by legislators, sportsmen groups, and members of the public about management practices within the program, and about delays in issuing a programmatic Environmental Impact Statement (EIS) report. The Wildlife Programmatic Environmental Impact Statement is to provide a framework for integrating the Montana Environmental Policy Act (MEPA) into the department's decision-making process and aid the agency in evaluating the environmental impacts of its wildlife related activities. The Legislative Audit Division chose to perform a separate review of the process used by the department to complete its EIS project. This report presents the findings from our review. Separate performance audits of the department's Wildlife Program and Block Management Program will be completed in 1999.

Our audit focused on examining and documenting the timeline for the project including major steps followed and changes made in the approach. We did not determine if the Wildlife EIS was necessary, or if the project complied with all provisions of MEPA.

EIS Project Costs

The United States Fish and Wildlife Service (USFWS) provides over 70 percent of the funding for the Wildlife Program through grants that normally cover six-year periods. The USFWS agreed to provide for federal participation in the Wildlife EIS project. In the department's application for federal assistance covering fiscal years 1993-94 through 1998-99, the estimated cost for the project was set at approximately $920,000. The actual costs of the project totaled approximately $570,000 based on the department's accounting records.

Purpose of the Wildlife EIS

Interviews with department officials and reviews of department documents indicated there were two main reasons for the Wildlife EIS. The first related to concerns over potential legal challenges to the state's hunting practices with references to legal challenges and anti-hunting sentiment occurring in other states. The second related to changing public attitudes and the need to consider public values and expectations for wildlife species other than game and furbearer species.

Report Summary

EIS Staffing and Guidance

The Wildlife EIS involved over 50 staff within the department. The department established an EIS Team and hired two staff to work on this team. The chief of the Wildlife Division's Research and Technical Services Bureau was designated the team leader. This three-person team was expected to guide the process and write the draft document using information provided by many department employees. A Steering Committee was created by the director in 1991 to provide oversight and guidance through the EIS process. Several consultants were involved in the project. Their work included helping the department collect public opinions, directing a special planning and evaluation process, and editing and formatting the EIS report.

Major Activities of the EIS Process

The department EIS process involved many different activities over the eight-year period. These activities were wide ranging and included: administrative actions, collecting public opinions, compiling and evaluating information, brainstorming, internal reviews, and decision-making. Based on our review, we divided the eight-year period into four major phases:

1) Planning and initial EIS approach (1991 to 1993).

2) Revisions to EIS approach (1994 and 1995).

3) Completing the evaluation and drafting the report (1996).

4) Report editing, printing and public comment (1997 and 1998).

Reasons for Extended Time Frame

When the department started on the EIS process in 1991, it was expected to take about four years. In reality, it has taken about twice that amount of time including finalizing the report and collecting public comments on the report. Based on the information we reviewed and interviews with people involved during the process, we concluded on reasons for the extended time frame. We grouped the reasons into three categories: limited experience, staffing and directing methods, and approach revisions.

Since this was the department's first programmatic EIS, it is reasonable to allow for a learning curve and to expect any future similar projects to be completed in a shorter time frame. Experience with how to conduct a

programmatic analysis and how to present the findings should help. Based on our observations we offer the following for department consideration:

- Implement a management structure which provides the EIS staff with sufficient authority to complete its work.
- If an EIS Team and Steering Committee are used, clearly define the roles and authority of each.
- Establish a well-defined "purpose and need" statement for the project.
- Schedule progress reports to upper management which would allow the team to receive more frequent management guidance and encouragement.

Chapter I - Introduction

Introduction

An audit of the Wildlife Management Program at the Department of Fish, Wildlife and Parks was approved by the Legislative Audit Committee for the 1999 biennium. Concerns were raised by legislators, sportsmen groups, and members of the public about management practices within the program, and about delays in issuing a programmatic Environmental Impact Statement (EIS) report. The programmatic EIS was designed to evaluate the environmental impacts of the department's wildlife-related decisions and activities. The Legislative Audit Division chose to perform a separate review of the process used by the department to complete its EIS project. This report presents the findings from our review. Separate performance audits of the department's Wildlife Program and Block Management Program will be completed in 1999.

Audit Objectives

Most of the concerns about the programmatic Wildlife EIS are related to the extended time period needed to complete the project. The objectives of our audit were to:

1. Collect background information on the Wildlife EIS project.
2. Collect appropriation and expenditure information for the project.
3. Examine and document the timeline for the project including major steps followed and changes made in the approach.

Because of the narrow scope of concerns with the EIS project (primarily related to delays in completing the project), we decided to limit the scope of our review to more effectively utilize audit resources. We did not determine if it was necessary for the department to complete the Wildlife programmatic EIS. We also did not determine if the Wildlife EIS complied with all provisions of the Montana Environmental Policy Act (MEPA).

Audit Scope and Methodology

This audit was conducted in accordance with government auditing standards for performance audits. To complete our review, we started by collecting published documents related to the Wildlife EIS including the draft report (April 1998), supplemental report (October 1998), and public opinion reports published by the department. We then reviewed supplemental documentation maintained at the department's central office. This provided us with basic information on the Wildlife EIS and also background on the process followed by the department in completing the EIS project.

Information on appropriations and expenditures for the project was collected from the Statewide Budgeting and Accounting System (SBAS), from department records, and from Legislative Finance Division (LFD) records.

Information on the timeline and various activities performed by department staff during the eight-year period needed to complete the project came primarily from the official project files maintained at the department's Bozeman regional office. To clarify information found in the files, we interviewed department staff that worked on the project and department officials responsible for monitoring and overseeing the project. We also interviewed an official from the Legislative Environmental Policy Office who served in an advisory role for the EIS project, and a staff member of the Legislative Finance Division.

Chapter II - Review of Wildlife EIS Process

Background

The Department of Fish, Wildlife and Parks initiated a Programmatic Environmental Impact Statement (EIS) of its Wildlife Program in January 1991. The EIS was designed to be a vehicle for reviewing the current wildlife program to determine if any changes were needed. The EIS addresses general wildlife policy issues and not specific management plans. The Wildlife Program is one of three major programs administered by the department. The other programs administered by the department are the Fisheries and Parks Programs. The Wildlife Program is the only one that has undergone a programmatic EIS.

The Wildlife Program is coordinated at the statewide level through the department's Wildlife Division. The department has divided the state into seven administrative regions which are primarily responsible for program implementation. Program activities include coordination and planning, monitoring of wildlife and habitat, maintaining and enhancing wildlife habitat, providing opportunity for public enjoyment of wildlife, enforcing wildlife related laws and rules, and providing public education concerning wildlife.

Project Costs

The United States Fish and Wildlife Service (USFWS) provides over 70 percent of the funding for the Wildlife Program through grants that normally cover six-year periods. The USFWS agreed to a 1992 amendment to the department's application for federal assistance which provided for federal participation in the Wildlife EIS. The federal government continued its support for the project in the department's subsequent application made in 1993 which covers fiscal years 1993-94 through 1998-99. The other major funding source for the department comes from license fees.

In the department's amended application for federal assistance for fiscal year 1987-88 through fiscal year 1992-93, the costs for the Wildlife EIS project were estimated at $695,000. In the application covering fiscal years 1993-94 through 1998-99, the estimated cost was increased to approximately $920,000.

As can be seen in the following table, project costs have totaled approximately $570,000 based on the department's accounting records. Even though the USFWS approved significantly more funding than was necessary, the department only received federal funds based on reimbursement of actual expenditures. In fiscal year 1991-92, the department established a specific responsibility center for tracking project costs. This practice continued through fiscal year 1995-96. Starting in fiscal year 1996-97, the department did not separately track project costs. For the last two fiscal years shown, the department identified project-related costs from broader responsibility centers. We did not audit the costs charged to responsibility centers.

Table 1
Wildlife EIS Project
Appropriations and Expenditures
(Fiscal Years 1991-92 through 1997-98)

Fiscal Year	Appropriations	Expenditures		
		General License	Federal	Total
1991-92	$ [1]85,968	$ 18,684	$ 14,172	$ 32,856
1992-93	$ [2]149,560	$ 29,089	$ 87,268	$ 116,357
1993-94	$ 275,000	$ 33,249	$ 99,745	$ 132,994
1994-95	$ 120,000	$ 31,316	$ 93,948	$ 125,265
1995-96	$ 116,640	$ 24,090	$ 64,769	$ 88,859
1996-97	no specific approp.	$ 10,493	$ 31,478	$ [3]41,971
1997-98	no specific approp.	$ 8,048	$ 24,143	$ [3]32,190
Total	N/A	$ 154,969	$ 415,522	$ 570,491

1 Redirection of other appropriations
2 Budget Amendment
3 Estimated costs

Source: Compiled by LAD from SBAS, department records, and LFD records.

Purpose of the Wildlife EIS

The department's federal aid application gives some reasons for using an EIS including:

- The department's EISs at the time were more than 20 years old.
- Changing public values toward wildlife.
- Increasing demand for public involvement in decision-making.
- Potential legal challenges to department actions.

The application stated: "The major reason for the proposed Wildlife Programmatic Environmental Impact Statement (PEIS) is to provide a framework for integrating MEPA into (the department's) decision-making process and aid the agency in evaluating the environmental impacts of its wildlife related activities."

MEPA has two central requirements:

- Agencies must consider the effects of pending decisions on the environment and on people prior to making each decision.
- Agencies must ensure that the public is informed of and participates in the decision-making process.

"A Guide to the Montana Environmental Policy Act" published by the Legislative Environmental Policy Office describes when a programmatic environmental impact statement is appropriate. The guide states: "If an agency is contemplating a series of agency-initiated actions, programs, or policies that in part or in total may significantly impact the human environment, the agency must prepare a (Programmatic Review) that discusses the impacts of the series of actions."

Interviews with department officials and reviews of department documents indicated there were two main reasons for the Wildlife EIS. The first related to concerns over potential legal challenges to the state's hunting practices with references to legal challenges and anti-hunting sentiment occurring in other states. The second related to changing

public attitudes and the need to consider public values and expectations for wildlife species other than game and furbearer species.

In 1991, department management decided it would be more feasible to undertake an "umbrella EIS" rather than perform multiple EISs for sub-programs or projects. The department listed the following goals for the EIS:

- To provide for the public to participate in determining program direction.
- To provide long-term goals and direction for the program.
- To identify obstacles.
- To establish an umbrella document for addressing future wildlife management issues.
- To produce a valuable reference.

EIS Staffing and Guidance

The Wildlife EIS involved over 50 staff within the department. The department established an EIS Team and hired two staff to work on this team. Oversight was provided through the department's regular chain of command (director, division administrator) and an oversight committee. The following section discusses the parties involved in completing the project.

EIS Team

In 1991, the project was assigned to the Wildlife Division's Research and Technical Services Bureau. The bureau chief was designated the team leader. The bureau chief worked out of the Bozeman regional office and this office served as the headquarters for the EIS project. In 1992, two additional full-time staff were hired to work on the project. These new staff were classified as a Research Specialist IV and an Environmental Impact Specialist. This three-person team was expected to guide the process and write the draft document using information provided by many department employees. The bureau chief retired in December 1993, and the remaining two staff comprised the EIS Team until the Environmental Impact Specialist position was cut in June 1996. A new team leader was named in October 1995. This person was the

division's Special Projects Coordinator who worked out of the division's Helena office.

Steering Committee

A Steering Committee for the project was created by the director in August 1991. The Steering Committee was to provide oversight and guidance through the EIS process. Department staff serving on the committee included staff from the Director's Office, Legal Unit, Conservation Education Division, Enforcement Division, Wildlife Division, and the Federal Aid Coordinator. A representative from the staff of the Environmental Quality Council also served on the committee in an advisory capacity. The Steering Committee met numerous times from 1991 through 1993 and apparently was disbanded after the first team leader retired at the end of 1993. An Alternative Development Committee was established in 1994 and met several times early in that year.

Ad Hoc Committees and Other Department Staff

Several other ad hoc committees and department staff worked on the project over the years. There were committees that worked on developing alternatives and determining the effects of the alternatives on identified issues. At one time, various department staff were writing 17 different "species chapters" for the EIS report. Each chapter had three or more people working on it with some staff assigned to multiple chapters. Twenty-five department staff participated in a special planning exercise. Other department staff were involved in internal scoping sessions and in reviewing various stages of the EIS analysis and reports.

Consultants

Several consultants were involved in the project starting with two consultants who worked on collecting public opinions on hunting, wildlife viewing, and trapping in 1993. Another consultant was hired to research and write a document on Montana's "Hunting Heritage." When the department took a new direction in the EIS process in 1994, a consultant was hired to direct a special planning and evaluation process. At the end of 1995, two new consultants were hired to develop a process to help the department finish the EIS project. These consultants continued with the project until the first draft was completed at the end of 1996. Finally, two additional consultants were hired to finalize the

report through editing and preparing the report for printing in 1997 and 1998.

Major Activities of the EIS Process

The department EIS process involved many different activities over the eight-year period. These activities were wide ranging and included: administrative actions, collecting public opinions, compiling and evaluating information, brainstorming, internal reviews, and decision-making. The following table shows the major activities that occurred during each year of the project. Based on our review, we divided the eight-year period into four major phases.

Table 2
Wildlife EIS
Major Phases and Activities
(1991 through 1998)

Phase	Year	Activity
Planning and initial EIS approach	1991	- Decision made in January to proceed with Programmatic EIS. - Steering Committee established with first meeting in August. - EIS draft plan completed in September. - Internal department scoping meetings held in November and December.
	1992	- Two staff hired to work on EIS Team. - Public scoping meetings held across the state in May and June. - Comment sought from other agencies and groups. - 21 issues are developed from approximately 1300 comments collected.
	1993	- PEIS newsletter issued in January (asking for public comment). - Focus Groups of citizens held in 6 cities in June collecting public opinions. - Telephone survey of 985 households in December collecting public opinion. - Information collected for original report version.
Revisions to EIS approach	1994	- Meeting with director in March results in major revision in EIS approach. - Alternative Development Committee develops list of eight alternatives. - Regional managers and management team reject alternatives in July; second major revision in EIS approach. - Director instructs EIS Team to proceed with Scenario Planning in September.
	1995	- 25 department staff participate in Scenario Planning process in March. - Scenario planning information used to refine alternatives. - November meeting with director - third major refinement in EIS approach. - Consultants hired to develop a process to help finish the project.
Completing the evaluation and drafting report	1996	- Meeting with director in February - obtaining consensus on final EIS approach. - Ad Hoc Committee revises alternatives and works on alternatives/issues matrix. - Effects Assessment Team summarizes environmental effects of alternatives. - First draft of EIS report completed in December.
Report editing, printing and public comment	1997	- Department waiting for planning reports for Fisheries and Parks. - EIS staff working with consultant editor on the draft report. - Final report edits completed in December.
	1998	- EIS staff working with consultant on report layout - preparing for printing. - Draft report released for public comment in April. - Public hearings on the report were held in seven cities during May. - Report status and public comment discussed at Commission work session. - Director, Commission Chair, and other staff develop the preferred alternative. - Preferred Alternative Report released for public comment in October.

Source: Compiled by LAD from department records and interviews.

Chapter II - Review of Wildlife EIS Process

Initial EIS Approach

Planning for the initial approach to the EIS was conducted in 1991. A detailed draft plan was produced in September of that year. The project plan called for compilation of vast amounts of information including descriptions of current environmental conditions (physical, habitat, biological, sociopolitical, economic, human demographics, etc.), descriptions of current program functions (habitat maintenance, access, wildlife population surveys, research, law enforcement, education), chapters covering individual species of wildlife, etc. In addition there were other supporting documents produced including a comprehensive wildlife bibliography, history of Fish, Wildlife and Parks Commission meetings, harvest data reconciliation reports, and a report titled "Hunting Heritage."

Public Scoping Meetings

In May and June of 1992, the department conducted public scoping meetings in 14 communities across the state to collect public opinion on the department's current wildlife program. Comment was also sought from various government agencies and other organizations. Approximately 1,300 oral and written comments were received. This information was used to help develop the "issues" that were later addressed in the EIS report. The 21 issues were grouped into six major categories: access, recreational opportunity, species management, habitat management, commercial uses, and landowner relations.

Montanans' Beliefs about Hunting, Viewing, and Trapping

The department regularly collects public opinion from public meetings and license-holder surveys. These processes result in opinions heavily weighted by hunters, trappers, large landowners, and wildlife organizations. For the EIS, the department was interested in collecting public opinion from a broader cross section of Montana's population. In June of 1993, the department organized focus groups of Montana citizens which held meetings in six Montana cities with the help of consultants. One of the main results of this process was the development of " belief statements" related to hunting, wildlife viewing, and trapping. These belief statements were included in a telephone survey of 985 Montana households completed in December 1993. The department published a report with all of the details from the survey in August 1995.

Revisions to EIS Approach

During the first three years, there were refinements in the EIS approach. However, the approach still called for compiling massive amounts of information. Several people we interviewed were concerned with the large volumes of information this approach would have generated and how the project was bogged down in the early stages working on the approach. Members of the Steering Committee also had concerns with the feasibility of this approach.

At one point, the department's "Proposed Action" called for managing wildlife using an ecosystem management approach which called for management of all wildlife rather than those species traditionally managed by the department for hunting and trapping. There was a lack of consensus among the EIS Team, the Steering Committee, and others in the department about how to proceed with the project and about the expected outcomes of the project. This was communicated to the director in February of 1994 and resulted in a meeting on March 25, 1994. The result of this meeting was a major revision in the EIS approach which now had an emphasis of developing alternatives to the department's wildlife management practices. An Alternatives Development Committee was established which held several meetings in April and May. The committee published a list of eight alternatives. However, when these alternatives were presented to the regional managers and the department management team during meetings in July of 1994, the alternatives were determined to not be acceptable. This resulted in the second major revision in the EIS approach and the use of the "Scenario Planning" process.

Scenario Planning

The Scenario Planning process was discussed in-house during 1994. The director instructed the team to proceed with the approach in September of 1994. This resulted in several meetings to determine how to proceed and eventually resulted in the department hiring a consultant to direct the effort.

In March of 1995, 25 department staff participated in a Scenario Planning process with the help of a consultant. Scenario Planning is a way of conducting strategic planning using alternative scenarios rather than a single-point forecast. The scenarios are alternative environments in which decisions may be played out. One of the main outcomes from

the process was the development of eight options or elements that were common across the four scenarios. These "robust options" were used to help refine the alternatives listed in the EIS report. The consultant issued a formal report on the scenario process which was published in July 1995.

Management Consensus

In November 1995, the EIS Team held meetings with the Wildlife Division administrator and then with the director to get clarification on how the team was to proceed. The main result was development of an approach that could be supported by top management. This was the third and final major revision to the EIS approach. The team received approval to hire two consultants to develop a process to help finish the project. In February 1996, the EIS Team and the consultants met with top management and discussed the proposed action and core philosophies. The result of this meeting, and ones later in the Spring, resulted in management approval of the alternatives and a draft of an alternatives/issues matrix which provided a basis for a large part of the EIS analysis and the subsequent report.

Effects Assessment Team

An Effects Assessment Team was established to describe the environmental effects of the five alternatives. The 16-member team of department staff met for five days under the direction of two consultants. The work of the Effects Assessment Team was then refined over the next two months by the EIS Team.

Draft EIS Report

The bulk of the work that was used to complete the draft EIS was completed during 1996 following the approach developed by the two consultants. The first draft of the report was completed in December 1996, also with the help of the consultants. The draft was not immediately released because the director wanted to release the report at the same time as two Fisheries and Parks planning reports, which were not yet ready.

During 1997 and early 1998, the Wildlife EIS report underwent editing and layout work preparing the report for printing. The report was released for public comment on April 1, 1998. Public hearings were held in seven cities across the state in May 1998. Additional comments

were solicited with a form included with each copy of the report and through the department's web site.

Public comments were discussed at a Fish, Wildlife and Parks Commission work session on August 6, 1998. Then at a meeting on September 2 and 3, 1998, the department director, the chair of the Commission, and other department staff further evaluated public comments and developed the "preferred alternative." The director described this alternative as consisting of "elements of the five alternatives analyzed in the draft EIS with a heavy emphasis on alternative one (Current Program) and alternative three." On October 1, 1998, a supplement to the draft EIS report was released for public comment which described the preferred alternative and the probable consequences on the environment.

Reasons for Extended Timeframe

When the department started on the EIS process in 1991, it was expected to take about four years. In reality, it has taken about twice that amount of time including finalizing the report and collecting public comments on the report. Based on the information we reviewed and interviews with people involved during the process, we concluded on reasons for the extended timeframe. We grouped the reasons into three categories: limited experience, staffing and directing methods, and approach revisions.

Limited Experience

Many of the people we interviewed indicated the department had limited experience with EISs and MEPA. The department (and other state agencies) had even less experience with programmatic EISs. This may have contributed to the initial approach used for the Wildlife EIS which called for collection of large volumes of information and eventually bogged down the EIS Team and other participating staff. The department hired an Environmental Impact Specialist in 1992 to work on the EIS Team. The department later hired another person who had worked with EISs at the Department of Transportation. This person was assigned to the Steering Committee in January 1993.

Staffing and Directing Methods

The Wildlife EIS project was coordinated by the EIS Team with oversight by the Steering Committee. The EIS Team was led by a bureau chief. This organizational structure did not give the team significant authority over other department staff who were assigned tasks related to the project. The EIS Team members struggled with getting non-EIS staff to complete work according to established deadlines. Attempts were made by the team to get management action to speed the other writers along. Eventually, in October 1993, the team leader wrote a memo to the authors of the species chapters to send in the work they had completed to date and indicated that the remaining work would be assigned to other staff.

The Steering Committee had individual staff members with a high level of authority within the department but its oversight role was unclear. Eventually the Steering Committee role was clarified in March 1994 as only being advisory. At about this time, the committee was disbanded.

The EIS Team worked out of the Bozeman regional office because that was the location of the team leader prior to the start of the project. The team made numerous trips to Helena in the first couple of years, often to meet with the Steering Committee. If the team had been located in Helena it may have been able to better run a statewide project. The team would have had more face-to-face contact with upper management and other staff and this may have helped its appearance of authority.

The first project leader retired in December 1993. He was the prime advocate of the initial EIS approach. When he retired, this EIS approach seemed to stall and later resulted in the EIS Team seeking direction from upper management on how to proceed. A new team leader was named in October 1995.

Several people involved in the EIS indicated the project lost the active support and encouragement from upper management after the first year or so. This probably contributed to other staff who assisted with the project placing their EIS work lower on their priority lists. During 1995 and 1996, the project seemed to get more attention from upper management with the EIS Team sending in frequent progress report

memos to Helena. The bulk of the analysis work and report writing was completed during this time.

Most of the work on the EIS project involved committees and teams. This type of work allows sharing of knowledge and brainstorming capability but it can also slow the process down. It often takes extra time to schedule and reschedule meetings to meet staff commitments, to travel to meetings, to reach consensus, to handle personality differences, to coordinate work, and to report on results. Conflicts and disagreements among team members over how to conduct the EIS also hindered the work on the project.

EIS Approach Revisions

Several people we interviewed indicated that from the beginning, the project did not have a well-defined "purpose and need" statement. This probably contributed to some of the early confusion on the project and to the initial direction taken by the team. As previously discussed, the first EIS approach did not work. The frustrations of the process are shown in a February 28, 1994, memo from the Wildlife Division administrator to the director. The memo includes the statement: "The function of the (EIS Project) seems unclear ... there is not a consensus among those closest to the project -- the EIS Team and steering committee -- about the best approach to finish the project and what the expected outcomes are." This was after the department had spent approximately three years on the project. The EIS approach then went through several revisions to arrive at an approach that could be accepted in the regional offices and by upper management. It was a time-consuming process to finally get to this point in late 1995 and early 1996. Again, some of the factors discussed above related to project administration also contributed to this long timeframe.

Conclusion

As indicated in our audit objectives, we were primarily concerned with examining why the EIS project had an extended timeframe. Timelines can be important when considering such issues as public involvement. As noted by the department, some of their reasons for conducting the EIS involved changing public values and demand for public involvement. It has been over six years since the department held its initial public scoping meetings in June 1992. Since this was the department's first programmatic EIS, it is reasonable to allow for a

learning curve and to expect any future similar projects to be completed in a shorter timeframe. Experience with how to conduct a programmatic analysis and how to present the findings should help. Based on our observations, we offer the following for department consideration:

- Implement a management structure which provides the EIS staff with sufficient authority to complete its work.
- If an EIS Team and Steering Committee are used, clearly define the roles and authority of each.
- Establish a well-defined "purpose and need" statement for the project.
- Schedule progress reports to upper management which would allow the team to receive more frequent management guidance and encouragement.

Department Response

Montana Fish, Wildlife & Parks

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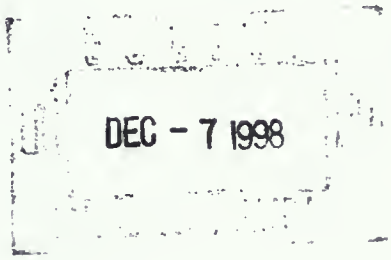
Ref:PG0885.98
December 7, 1998



Mr. Jim Pellegrini
Legislative Audit Division
Room 135, State Capitol
POB 201705
Helena, MT 59620 -1705

Dear Mr. Pellegrini:

I would like to offer the following comments on your recent review of the Fish Wildlife & Parks (FWP) Wildlife Programmatic EIS. First, our complements to Jim Nelson on the professional job in conducting the review. My staff felt Jim was very professional and courteous during the review and enjoyed working with him.

I believe your review is complete, and the recommendations made are well founded and will help FWP in the future. I would like to note that while the process did take seven years to complete, the initial draft was completed in 1996. However, in order to mesh with other plans being prepared by the Fisheries and Parks programs the draft was not released for public review until April 1998. Also, despite the length of time it took to complete this project, it was accomplished well under the original estimated budget. It should be noted that the Draft EIS and the supplement to the Draft have been accepted as the Final EIS by FWP.

While this was a long and involved process that took several unexpected turns, I do believe we developed a much better product in the end than would have occurred had we not begun again after rejecting the first set of alternatives. The EIS as written provides us with a solid direction for the management of wildlife in the state, and allows for adjustments to our program without having to develop another EIS. During the same period that the Programmatic EIS was being prepared, the wildlife division developed two other EIS's; one on the management of black bears and the other on mountain lion management.

This has been a learning experience for the wildlife division and the other programs within FWP. Montana's Wildlife Programmatic EIS is the first document of it's kind in the United States. Other agencies have put together programmatic studies of specific portions of their programs, none have taken on the development of an analysis of their entire program. Obviously this was an ambitious task when we undertook it, as I have said, I believe the end product is well worth the effort that had to be extended to develop the EIS.

Again, FWP believes the recommendations made by the Audit Division are well founded, and we will utilize to them when developing future Montana Environmental Policy Act (MEPA) projects.

Sincerely,

Pat Graham

Patrick J. Graham
Director